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10 **UNITED STATES DISTRICT COURT**

11 **DISTRICT OF NEVADA**

12 JEREMY JOHN HALGAT, an individual,
13 Plaintiffs,
14 vs.
15 UNITED STATES OF AMERICA,
16 Defendant.

17 CASE NO.: 2:22-cv-00592-RFB-EJY

18 **ORDER TO EXTEND DEADLINE
TO RESPOND TO THE USA'S MOTION
TO DISMISS FIRST AMENDED
COMPLAINT [ECF NO. 71]**

19 **(FIRST REQUEST)**

20 NOW COMES the Plaintiff, JEREMY HALGAT ("Plaintiff"), by and through his
21 attorneys, Melanie A. Hill and Melanie Hill Law PLLC and Defendant UNITED STATES OF
22 AMERICA, by and through its attorney, Jacob Bennett, who hereby stipulate that the deadline for
23 Plaintiff to respond to the United States' Motion to Dismiss First Amended Complaint [ECF No. 71]
24 be extended pursuant to Local Rule IA 6-1.

25 This is the first request for an extension of the deadline to respond to the USA's Motion to
26 Dismiss First Amended Complaint.

27 In support of this Stipulation and Request, the parties state as follows:

28 1. Over the past six months, Plaintiff's counsel has been obtaining and reviewing the
underlying criminal discovery which is quite voluminous and is still ongoing.

1 2. Plaintiff filed his First Amended Complaint on July 15, 2023 [ECF No. 69]
 2 addressing issues raised in the USA's original Motion to Dismiss the Complaint, removing causes of
 3 action against Defendant USA, and removing Defendant Las Vegas Municipal Police Department
 4 and the allegations against it.

5 3. The USA filed its Motion to Dismiss Plaintiff's First Amended Complaint on July
 6 28, 2023 [ECF No. 71].

7 4. Under the Court's Local Rules, Plaintiff's Opposition to the Motion to Dismiss
 8 First Amended Complaint is due August 11, 2023, and Defendant's Reply shall be due August 18,
 9 2023. *See* L.R. 7-2(b).

10 5. When the Motion to Dismiss the First Amended Complaint was filed, Plaintiff's
 11 counsel was out of the country and did not have reliable access to internet because she was on a
 12 cruise. Counsel returned from her summer vacation yesterday, August 10, 2023, and is currently
 13 suffering from a cough and cold symptoms.

14 6. Plaintiff's counsel and counsel for Defendant USA, the only remaining Defendant
 15 in this case after various voluntary dismissals of other defendants have occurred and the First
 16 Amended Complaint was filed, have agreed to extend Plaintiff's deadline to oppose its Motion to
 17 Dismiss the First Amended Complaint for thirty (30) days from its current deadline of August 11,
 18 2023 to allow counsel for Plaintiff additional time to address the substance of the arguments raised
 19 in the Motion to Dismiss the First Amended Complaint. The parties have further stipulated to defer
 20 the filing of the Discovery Plan and Scheduling Order in this case and stay discovery pending the
 21 Court's decision on the pending Motion to Dismiss the First Amended Complaint raising issues of
 22 jurisdiction and immunity. That stipulation has been prepared and will be filed within the next week.

23 7. To allow Plaintiff's counsel additional time to respond to the substance of the
 24 arguments raised in the Motion to Dismiss the First Amended Complaint raising issues of jurisdiction
 25 and immunity, the parties have stipulated to extend Plaintiff Halgat's response deadline to the Motion
 26 to Dismiss the First Amended Complaint [ECF No. 71] thirty (30) days until September 11, 2023.

27 8. This stipulation for an extension of time is not sought for any improper purpose or
 28 other purpose of delay. Rather, it is sought by the parties solely to allow sufficient time for Plaintiff's

1 counsel to address the substance of the arguments in the Motion to Dismiss the First Amended
2 Complaint raising issues of jurisdiction and immunity in light of her summer vacation schedule and
3 unreliable internet while on her cruise.

4 9. This stipulation to extend Plaintiff's response deadline is brought in good faith,
5 with a showing of good cause, and is not sought for any improper purpose or other purpose of
6 delay, but to allow counsel for the Plaintiff additional time to address the substance of the arguments
7 in the Motion to Dismiss the First Amended Complaint raising issues of jurisdiction and immunity in
8 light of her summer vacation schedule and unreliable internet while on her cruise. This extension will
9 allow counsel for Plaintiff the additional time necessary to respond to the Motion to Dismiss the First
10 Amended Complaint in light of this good cause.

11 10. In accordance with LR 26-3, a stipulation to extend any date set by the discovery
12 plan, scheduling order, or other order must, in addition to satisfying the requirements of LR IA 6-1,
13 be supported by a showing of good cause for the extension. Local R. 26-3. Plaintiff submits that good
14 cause exists under the totality of the circumstances and reasons provided herein.

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1 WHEREFORE, the parties respectfully request that the Court extend Plaintiff Halgat's
2 response deadline to the Motion to Dismiss the First Amended Complaint [ECF No. 71] for thirty
3 (30) days until September 11, 2023 as stipulated herein.

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5 **DATED this 11th day of August, 2023.**

6

7 **DATED 11th day of August, 2023.**

8

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America

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25 **IT IS SO ORDERED.**

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